



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE

Department of Toxic Substances Control

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For Immediate Release

Contact: Angela Blanchette

510.540.3732

Ron Baker

916.324.3142

\$115,000 Agreement Reached With Valero Refining Company

Berkeley --- The California Department of Toxic Substances Control (DTSC) today announced an \$115,000 settlement with Valero Refining Company regarding illegal storage, treatment, and disposal of hazardous waste at its facility at 3400 East Second Street in Benicia.

Under the terms of the settlement, Valero will pay DTSC a total of \$115,000, of which \$56,208 is a civil penalty, \$40,056 is reimbursement to DTSC for costs it incurred in conducting the enforcement action, and \$18,736 is a contribution to the Environmental Project of the California District Attorneys Association.

"This settlement is the result of a joint effort by DTSC and the State Attorney General's Office," said Ed Lowry, DTSC Director. "The settlement requires the proper handling of hazardous waste and provides an added level of safety at the facility."

The settlement stems from violations revealed during inspections by DTSC's Statewide Compliance Division in April 2000 and March 2002. DTSC inspectors noted the following violations at the site:

- Failure to test waste materials to determine if they were hazardous
- Illegal disposal of hazardous waste onto the ground and into a liquid receptacle pit
- Storage of hazardous waste without the appropriate DTSC permit
- Treatment of hazardous waste mixtures in the facility's wastewater treatment system without the appropriate DTSC permit
- Leakage of hazardous waste onto the soil and the floor in a bin storage lot
- Failure to immediately follow the company's contingency plan for hazardous waste spillage

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- Failure to transfer hazardous waste that was leaking from roll off bins to containers that were in good condition
- Cracks on an asphalt floor adjacent to a tank containing hazardous waste and cracks on an asphalt berm that could possibly allow release of hazardous waste into the environment

Valero Refining Company's Benicia facility is one of 12 refineries operated by the Valero Energy Corporation. The facility primarily produces clean-burning gasoline and also has significant asphalt production capabilities.

Although the violations stated above have been corrected at Valero's Benicia facility, under terms of the agreement, DTSC is not limited from taking appropriate enforcement actions against the company for any future violations.

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The Department of Toxic Substances Control's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

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"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov."